

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CLEMENS FRANEK,

Plaintiff,

v.

WALMART STORES, INC. and
TARGET CORPORATION,

Defendants.

Civil Action No. 08-Civ-0058

Judge Robert M. Dow, Jr.

JURY DEMAND

JAY FRANCO & SONS, INC.,

Plaintiff,

v.

CLEMENS FRANEK,

Defendant.

Civil Action No. 08-Civ-0058

Judge Robert M. Dow, Jr.

JURY DEMAND

**AGREED MOTION REQUESTING AN EXTENSION OF TIME
TO COMPLETE DISCOVERY AND REQUESTING
A SETTLEMENT CONFERENCE**

All parties in this consolidated case, through counsel, have consented to and hereby stipulate to the following:

1) to extend the deadline to complete Fact Discovery from December 12, 2008 (as originally set forth in this Court's Minute Order of April 17, 2008), up to and including March 13, 2009; to extend the date that Expert Reports are due from January 16, 2009 (as originally set forth in this Court's Minute Order of April 17, 2008), up to and including April 16, 2009; to extend the deadline to complete Expert Discovery from April 3, 2009 (as originally set forth in this Court's Minute Order of April 17, 2008), up to and including July 7, 2009, in order to allow sufficient time for this Court to decide Jay Franco & Sons, Inc.'s pending Motion for Summary Judgment, and if this motion is denied, in order to allow the parties sufficient time to take Depositions and to complete Fact and Expert Discovery; and

2) to request a settlement conference with a Judge or Magistrate Judge if Jay Franco & Sons, Inc.'s Motion for Summary Judgment is not granted, and to request the settlement conference at a place and time to be agreed on by this Court and the parties, as soon as possible after this Court's decision on said Motion for Summary Judgment.

This is the parties' first request for such an extension in this case.

All counsel have provided their written consent to this Motion.

This Motion is not being filed for the purpose of delay or harassment, and it is submitted that the above proposed discovery extensions will not result in any prejudice to any party.

Dated: October 7, 2008

CLEMENS FRANEK

JAY FRANCO & SONS, INC.

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